

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

**IN RE: ASBESTOS PRODUCTS
LIABILITY LITIGATION (NO. VI)**

**CALVIN R. LUCKEY and wife, PEGGY G.
LUCKEY, et al.,**

Civil No. 3:98cv394

**This document pertains to:
WILLIAM E. SMITH,**

Plaintiffs,

Vs.

ACandS, Inc., et al.,

Defendants.

ORDER OF DISMISSAL OF DEFENDANT CLEAVER-BROOKS, INC.

THIS MATTER is before the Court on the parties' consent and approval to dismiss without prejudice the claims of Plaintiff William E. Smith only against Defendant Cleaver-Brooks, Inc.

For cause shown,

IT IS, THEREFORE, ORDERED that the claims of Plaintiff William E. Smith against the Defendant Cleaver-Brooks, Inc., are hereby **DISMISSED WITHOUT PREJUDICE**.

Signed: February 13, 2007


Lacy H. Thornburg
United States District Judge



Prepared and Submitted By:

Attorney for Defendant Cleaver-Brooks,
Inc.

s/ Stephen B. Williamson

Stephen B. Williamson, Esq.
N.C. Bar No. 20203
Van Winkle, Buck, Wall, Starnes and
Davis, P.A.
11 North Market Street
Post Office Box 7376
Asheville, North Carolina 28802
Telephone: 828-258-2991
Facsimile: 828-255-0255
Email: swilliamson@vwlawfirm.com

Consented to By:

Attorney for Plaintiff

s/ Janet Ward Black

Janet Ward Black, Esq.
N.C. Bar No. 12869
Donaldson & Black, P.A.
208 West Wendover Avenue
Greensboro, NC 27401
Telephone: 336-273-3812
Facsimile: 336-379-9415
E-mail: jwblack@donaldsonandblack.com